

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11408 of 2023

Applicant :- Santosh Kumar Rungta

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.
And Another

Counsel for Applicant :- Gaurav Pandey, Mayank Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicant and learned A.G.A. for the State and perused the material on record.

The instant application under Section 482 Cr.P.C. has been filed to direct the concerned Court to release the applicant from jail subject to execution of personal bond and two sureties bond in one case and the same sureties may also be treated in all 4 criminal cases.

Learned counsel for the applicant submits that the applicant, who is aged about 58 years, is innocent and he has not committed any offence and he has been implicated in 4 cases. He next submitted that in all the offences which have been registered against the applicant, he has been granted bail. He says that the applicant is not in a position to furnish huge sureties for all the cases in compliance of bail orders. It is further submitted that the applicant granted bail in 4 cases registered at District Lucknow, details of which are as follows:

(i) Complaint Case No. 122521 of 2022, under Section 138 of N.I. Act, 1881.

(ii) Complaint Case No. 122522 of 2022, under Section 138 of N.I. Act, 1881.

(iii) Complaint Case No. 122531 of 2022, under Section 138 of N.I. Act, 1881.

(iv) Complaint Case No. 122534 of 2022, under Section 138 of N.I. Act, 1881.

Learned counsel for the applicant has relied upon the judgment of the Apex Court passed in ***Special Leave to Appeal (Criminal) No. 8914-8915 of 2018; Hani Nishad @ Mohammad Imran @ Vikky Vs. State of U.P.***

Learned A.G.A. submits that he does not want to file any counter affidavit.

In view of the facts and circumstances as well as rival submissions advanced by the learned counsel for both the parties, the present application under Section 482 Cr.P.C. stands ***disposed of*** finally in the light law laid down by the Apex Court in the case of ***Hani Nishad @ Mohammad Imran @ Vikky (Supra)*** and the Court below is directed to execute the personal bond of Rs. 50,000/- in every case and produce two sureties each in the like amount to the satisfaction of the Court/Magistrate concerned in one case which shall hold good for rest of the cases.

Order Date :- 21.11.2023

Arun/-